

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
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COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission **Date:** February 26, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **REPORT OF THE COMMUNITY AFFAIRS COMMITTEE MEETING OF
FEBRUARY 11, 2003**

A Meeting of the Community Affairs Committee was held on Tuesday, February 11, 2003. Commissioner Luis R. Garcia, Jr., called the meeting to order at 2:25 p.m. Commissioners Matti H. Bower, Saul Gross, Jose Smith and Richard Steinberg were in attendance. Commissioner Cruz was absent from the meeting. City staff from various departments and interested persons from the community were also in attendance. An attendance sheet for the meeting is attached hereto.

OLD BUSINESS

1. DISCUSSION REGARDING ART IN PUBLIC PLACES FUNDS.

ACTION: City Manager Jorge M. Gonzalez led a discussion with the Committee members about Art in Public Places (AIPP) allocations and various AIPP projects, the AIPP amount due by Ordinance for each of those projects, the total amount appropriated, the balance to be appropriated and the unfunded balance for some of those projects. Specifically, he discussed a proposal to allocate \$100,000 from the RDA to replace the G.O. Bond dollars authorized to fund the South Pointe Streetscape (Washington Avenue & 3rd Street Plaza) project. A portion of the replaced G.O. Bond dollars would be utilized to fund several projects where there was an AIPP shortfall. Funds from the City Center RDA would be used to fund shortfalls for the Bass Museum of Art and the Colony Theater. There was also a discussion of allocating a percentage of AIPP funds for ongoing maintenance and education about the various AIPP projects throughout the City.

Pola Reydburd, Chair of the AIPP Committee, spoke about the existing and upcoming AIPP projects throughout the City.

Commissioner Bower, Garcia, Gross, Smith and Steinberg directed the Administration to finalize the AIPP Master Plan and in addition to address concerns regarding additional funding for an expanded area and equitable distribution of art throughout the City. The Committee asked that the Administration bring the item back to the Community Affairs Committee at a future meeting for further discussion and consideration.

2. DISCUSSION REGARDING AN ORDINANCE PROHIBITING COMMISSIONERS FROM APPEARING BEFORE ADVISORY BOARDS ON MATTERS THAT MAY FORESEEABLY COME BEFORE THE COMMISSION.

ACTION: Commissioner Steinberg withdrew his original request to have this item on the Community Affairs agenda.

NEW BUSINESS

3. DISCUSSION REGARDING PANHANDLING ORDINANCE.

ACTION: Police Chief Don De Lucca and Assistant City Attorney Martha Diaz-Perez lead a discussion regarding the Panhandling Ordinance, including the history and events that have lead to the proposed ordinance.

Commissioner Smith questioned the constitutionality of the ordinance and stated that he did not believe that the ordinance would legally hold up in a court of law.

Several members from the public, including David Wallack, Frank Del Vechio, Graziano Seragew, and Sergio Rivera, spoke and shared their perspectives and experiences regarding individuals who were panhandling on Ocean Drive, Washington Avenue, and Lincoln Road.

Commissioner Steinberg made a motion, seconded by Commissioner Bower, with Commissioners Garcia and Gross in favor, and Commissioner Smith opposed, to direct the Police Department and the City Attorney's Office to continue working on collecting quantifiable data to support the need for the Ordinance and to bring this information back to the Commission for further discussion and consideration.

4. DISCUSSION REGARDING THE CONTINUATION OF THE MIAMI GAY AND LESBIAN FILM FESTIVAL ON SOUTH BEACH.

ACTION: City Manager Jorge M. Gonzalez discussed the efforts on behalf of the Administration to assist the Miami Gay and Lesbian Film Festival organizers with this event, including outreaching to the Regal Cinema to explore the possibility of using that space for the event. That option did not work out, so the Manager made a recommendation that reduced rates (equivalent to the Colony Theater rates) be offered at the Jackie Gleason Theater of the Performing Arts to any group who has been using the Colony Theater and are now displaced because of the construction of the Colony.

Commissioner Bower added that this new policy should also include any group who may not have a track record at the Colony Theater but who meet the Visitor and Convention Authority's criteria for an approved event.

The following motion was made by Commissioner Bower, seconded by Commissioner Gross, with Commissioners Garcia and Smith in favor, that reduced rates (equivalent to the Colony Theater rates) be offered at the Jackie Gleason Theater of the Performing Arts to any group who has been using the Colony Theater and are now displaced because of the construction of the Colony, as well as any group who may not have a track record but who meet the Visitor and Convention Authority's criteria for an approved event and that all requests must be presented to the Convention Center Advisory Board (CCAB). This rate reduction at the Jackie Gleason would be in effect only while the Colony Theater is under construction.

5. DISCUSSION REGARDING CODE OF ETHICS FROM THE AMERICAN LEAGUE OF LOBBYISTS.

ACTION: Commissioner Smith will work with the City Attorney's Office to continue researching this issue and bring back to the full Commission for further discussion.

The meeting adjourned at 4:25 p.m.

JMG\MDB\RNcd

Attachment

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